



Paper No. 6

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In re Application of
Wise, *et al.*
Application No. 09/817,439
Filed: March 26, 2001
For: SYSTEM AND METHOD FOR
ESTIMATING CONDUIT LIQUIDITY
REQUIREMENTS IN ASSET BACKED
COMMERCIAL PAPER

OFFICE OF PETITIONS
DECISION REFUSING STATUS
UNDER 37 C.F.R. §1.47(b)

This is in response to the June 3, 2002 petition under 37 C.F.R. §1.47(b).

Petition History

This application was filed on March 26, 2001. However, the application lacked a declaration signed by the inventor as required by 35 U.S.C. §25, 35 U.S.C. §115, 37 C.F.R. §1.63, and 37 C.F.R. §1.68. Accordingly, the Office of Initial Patent Examination (hereinafter "OIPE") mailed a notice to file missing parts of nonprovisional application (hereinafter "notice") to the address of record on May 3, 2001. The notice requested a signed declaration and set a two month period for replying. A copy of this petition was then received by the office on January 8, 2001. The petition included a request for a four month extension of time, which with the certificate of mailing dated October 26, 2001, was timely.

In a decision dated May 1, 2002, that petition was dismissed for failure to adequately show that the non-signing inventor had been presented with an opportunity to properly review the application before signing and for failure to establish Petitioner's proprietary interest. The decision set a two month period for replying.

Petitioner followed with this renewed petition on June 3, 2002, which was timely.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application after having been presented with the application papers. In addition, Petitioner has shown that has a proprietary interest in the above-identified application with the Assignment from inventor to dated. Lastly, Petitioner has submitted a declaration in compliance with 37 C.F.R. §1.63 and §1.64 and demonstrated that such action is necessary to prevent irreparable damage.

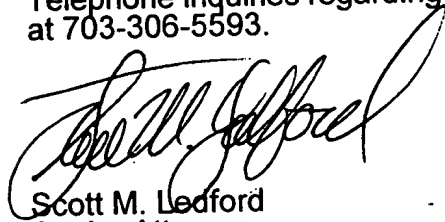
This application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(b). This application is hereby accorded Rule 1.47(b) status and the Office of Initial Patent Examination is authorized to

- (1) accept this application under Rule 1.47(b);
- (2) process the application with the inventors being Eric S. Wise, Roger J. Pellegrini, and John Rhinelander with the indication that the application was filed by J. P. Morgan Chase, Co. as the party in interest under 35 U.S.C. § 118, inventor authority code 08, using the Declaration filed on; and
- (3) mail a filing receipt with a filing date of March 26, 2001

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

The application is being returned to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this communication should be directed to the undersigned at 703-306-5593.

A handwritten signature in black ink, appearing to read "Scott M. Ledford", is written over the printed name and title.

Scott M. Ledford
Senior Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy